

1 RENE L. VALLADARES  
Federal Public Defender  
2 Nevada State Bar No. 11479  
HEIDI A. OJEDA  
3 Assistant Federal Public Defender  
Nevada State Bar No. 12223  
4 411 E. Bonneville, Ste. 250  
Las Vegas, Nevada 89101  
5 (702) 388-6577/Phone  
(702) 388-6261/Fax  
6 Heidi\_Ojeda@fd.org  
7 Attorney for Lyndsie Rene Montoya

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9 **UNITED STATES DISTRICT COURT**  
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 v.  
14 LYNDISIE RENE MONTOYA,  
15 Defendant.

Case No. 2:14-cr-005-LDG-GWF

**MOTION TO VACATE STATUS  
HEARING**

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17 COMES NOW, Lyndsie Montoya, by and through her attorney, Heidi A. Ojeda,  
18 Assistant Federal Public Defender, and hereby requests that the status hearing set for October  
19 24, 2016 be vacated.

20 Ms. Montoya was before the court for a revocation hearing in January 2015. At that  
21 time, the parties agreed to terminate her supervised release, but the Court did not find  
22 termination of her supervised release appropriate. The Court imposed a sentence of 9 months  
23 with 24 additional months of supervision, explaining that if Ms. Montoya was compliant on  
24 supervision for 12 months, the Court would set a status check to consider terminating her  
25 supervised release. That status check is set for October 24, 2016.

26 Undersigned counsel has been in contact with Shawn Mummy, Ms. Montoya's  
probation officer. Given some recent issues that have come to light, Mr. Mummy believes that

1 Ms. Montoya would benefit from further supervision. As such, Ms. Montoya requests that the  
2 status hearing set for Monday, October 24, 2016 at 10:00 a.m. be vacated. Undersigned counsel  
3 will work with probation to monitor her progress and file a motion for early termination if/when  
4 appropriate.

5 DATED this 19<sup>th</sup> day of October, 2016

6 Respectfully submitted,  
7 RENE L. VALLADARES  
8 Federal Public Defender

9 /s/ Heidi A. Ojeda

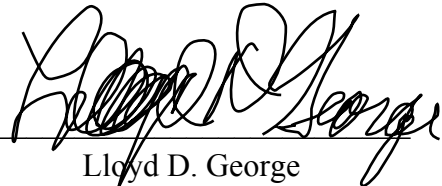
By \_\_\_\_\_

10 HEIDI A. OJEDA  
11 Assistant Federal Public Defender  
12 Attorney for Lyndsie Rene Montoya

13 ORDER

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15 IT IS SO ORDERED.

16 DATED this 20<sup>th</sup> day of October, 2016.

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20 Lloyd D. George  
21 Sr. U.S. District Judge  
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